

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2012-142381-001 DT

09/27/2012

COMMISSIONER KATHLEEN MEAD

CLERK OF THE COURT

J. Porter

Deputy

STATE OF ARIZONA

DAVID EDWARD IRWIN

v.

CRISTIAN OTHON SANTA-CRUZ (001)

DOB: 03/15/1993

MARIE D FARNEY

APO-SENTENCINGS-CCC

APPEALS-CCC

CITS - CCC SPANISH

DISPOSITION CLERK-CSC

RFR

US IMMIGRATION AND CUSTOMS

ENFORCEMENT

SUSPENSION OF SENTENCE - PROBATION GRANTED

10:48 a.m.

Courtroom SCT 3B

State's Attorney:	David Irwin
Defendant's Attorney:	Marie Farney
Defendant:	Present
Interpreter:	Roxana Patterson

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

10:53 a.m. LET THE RECORD REFLECT that the Spanish-speaking Interpreter, Roxana Patterson, is now present in the Courtroom.

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LET THE RECORD REFLECT that the Defendant's Mother addresses the Court, with the assistance of the Spanish-speaking Interpreter, Roxana Patterson.

The plea is accepted.

Count(s) 1: WAIVER OF TRIAL: The Defendant knowingly, intelligently and voluntarily waived all pertinent constitutional and appellate rights and entered a plea of guilty.

IT IS THE JUDGMENT of the Court Defendant is guilty of the following:

OFFENSE: Count 1 (amended) Possession of Burglary Tools
Class 6 designated felony
A.R.S. § 13-1501, 1505, 701, 702; 12-269; 13-610 and 801
Date of Offense: committed between 02/08/2012 and 02/27/2012
Non Dangerous - Non Repetitive

The Court is suspending imposition or execution of sentence and, under the supervision of the Adult Probation Department (APD), placing the defendant on probation for:

Count 1 Probation Term: 2 years

To begin 09/27/2012.

Condition 5 - If deported or processed through voluntary departure, will not return to the United States without legal authorization during the term of probation, and all conditions remain in effect except for

Condition 6: Report to the APD within 72 hours of sentencing, absolute discharge from prison, release from incarceration, or residential treatment and continue to report as directed. Keep APD advised of progress toward case plan goals and comply with any written directive of the APD to enforce compliance with the conditions of probation. Provide DNA testing if required by law.

Condition 8 - Request and obtain written permission of the APD prior to leaving the state.

Condition 15: Restitution, Fines and Fees:

PROBATION SERVICE FEE: Count 1 - \$65.00 per month, beginning to be determined by the Adult Probation Department.

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PROBATION SURCHARGE: Count 1 - \$20.00 payable on to be determined by the Adult Probation Department.

All amounts payable through the Clerk of the Superior Court.

The Court retains jurisdiction for any future restitution hearings. Defendant shall waive his presence.

Condition 16 - Not consume or possess any substances containing alcohol.

Condition 19: Not have any contact with the victim(s) in any form, unless approved in writing by the APD.

Defendant is advised pursuant to A.R.S. § 13-805 that failure to maintain contact with the Probation Department may result in the issuance of:

1. A criminal restitution order in favor of the state for the unpaid balance, if any, of any fines, costs, incarceration costs, fees, surcharges or assessments imposed.
2. A criminal restitution order in favor of each person entitled to restitution for the unpaid balance of any restitution ordered.

IT IS FURTHER ORDERED Defendant be released from custody for this case only.

IT IS FURTHER ORDERED that Defendant must submit to DNA testing for law enforcement identification purposes and pay the applicable fee for the cost of that testing in accordance with A.R.S. § 13-610.

The Court has been informed that defendant was born in Mexico. In addition, the Court has been presented with sufficient evidence that defendant has been identified by federal authorities or a 287(g) officer as a person who is unlawfully present in the United States. Pursuant to A.R.S. § 11-1051(C) and Supreme Court Administrative Order 2010-91, the clerk shall send a copy of this order to the United States Immigrations and Customs Enforcement.

The presentence investigation report is filed under this cause number.

10:56 a.m. Matter concludes.

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Defendant's right index fingerprint is permanently affixed to this sentencing order in open court.

/s/ COMMISSIONER KATHLEEN MEAD
JUDICIAL OFFICER OF THE SUPERIOR COURT

(right index fingerprint)